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U.S. COURT OF APPEALS

NOT FOR PUBLICATION

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

ALEXANDER BLANCO KITANO,

Plaintiff - Appellant,

v.

GUAM TERRITORIAL PAROLE  
BOARD; et al.,

Defendants - Appellees.

No. 08-16274

D.C. No. 1:06-cv-00036

MEMORANDUM \*

Appeal from the United States District Court  
for the District of Guam  
Alex R. Munson, District Judge, Presiding

Submitted February 18, 2009 \*\*

Before: BEEZER, FERNANDEZ, and W. FLETCHER, Circuit Judges.

Alexander Blanco Kitano, a prisoner of the Territory of Guam housed in a federal prison on the United States mainland, appeals pro se the dismissal of his 42 U.S.C. § 1983 civil rights action claiming that the Guam Territorial Parole Board

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\* This disposition is not appropriate for publication and is not precedent except as provided by 9th Cir. R. 36-3.

\*\* The panel unanimously finds this case suitable for decision without oral argument. *See* Fed. R. App. P. 34(a)(2).

and other defendants denied him due process and equal protection by failing to arrange for him to appear personally and present documentary evidence at his parole hearings and by failing to appoint parole board members and implement adequate parole hearing procedures and policies. Kitano contends that the district court erred in dismissing his remaining claims for injunctive relief as moot after the Guam Superior Court ordered the Director of the Department of Corrections to arrange for him to appear physically or by live video conference at his parole hearings, and he appeared by live video conference at a parole hearing in April 2008. We affirm the district court's conclusion that no case or controversy remained. *See Burnett v. Lampert*, 432 F.3d 996, 999 (9th Cir. 2005).

**AFFIRMED.**